



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: McGuire et al  
Serial No.: 10/714,370  
Title: IMPROVED FLAME RETARDANT  
NONWOVENS  
Filing Date: 11/14/2003  
Examiner: Not Assigned Yet  
Art Unit: Not Assigned Yet

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Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to Applicant's duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the documents listed on the attached Form PTO/SB/08A are being brought to the attention of the Examiner in charge of the above-referenced Application.

The Examiner is respectfully requested to initial the space adjacent to the listing of each document on Form PTO/SB/08A, and return a copy of the initialed Form PTO/SB/08A with the next communication to Applicant, to confirm that these documents have been considered by the Examiner and made of record in this Application.

The below-referenced information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. See 37 C.F.R. §§1.104(a) and 1.104(b) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be expressly considered during the prosecution of this Application, and that the references be made of record therein and appear among the "References Cited" on any patent that issues therefrom.

This paper is being submitted in accordance with:

- ☒ 37 C.F.R. § 1.97(b):
  - ☐ With the application;
  - ☒ Within 3 months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d);
  - ☐ Within 3 months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application;
  - ☐ Before the mailing of a First Office Action on the merits; or
  - ☐ Before the mailing of a First Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114.
- ☐ 37 C.F.R. § 1.97(c) – after the period specified in 37 C.F.R. § 1.97(b) but before the mailing date of any of a Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in this application, whichever is earlier; and includes:
  - ☐ The required statement made below; or
  - ☐ The **\$180** fee specified in 37 C.F.R. § 1.17(p) for submission of this IDS;
- ☐ 37 C.F.R. § 1.97(d) – after the period specified in 37 C.F.R. § 1.97(c) but on or before payment of the Issue Fee; and includes:
  - ☐ The required statement made below; and
  - ☐ The **\$180** fee specified in 37 C.F.R. § 1.17(p) for submission of this IDS;
- ☐ 37 C.F.R. § 1.97(e) – required statement:
  - ☐ Each item of information contained in this IDS was first cited in a communication from a foreign patent office in a counterpart

foreign application not more than three (3) months prior to the filing of this IDS; or

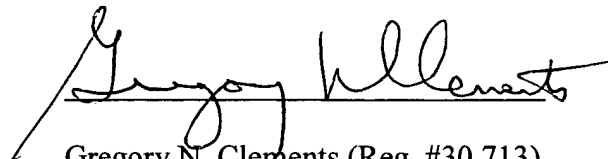
- ☐ No item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three (3) months prior to the filing of this IDS.

If the fee of \$0 is incorrect, please charge any additional fees due, or credit any overpayment, to **Deposit Account No. 04-1448**.

If Examiner has any questions or wishes to discuss this Application, Examiner is kindly encouraged to telephone undersigned.

Respectfully submitted,

Date: 12/12/03



Gregory N. Clements (Reg. #30,713)  
Attorney for Applicants

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Attorney Docket 3788



PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10,714,370	
	Filing Date	11/14/2003	
	First Named Inventor	McGuire et al.	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	166	Attorney Docket Number	3788

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<b>Remarks</b>  return receipt postcard		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Gregory N. Clements Dougherty, Clements & Hofer		
Signature			
Date	December 15, 2003		

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Nancy L. Burns		
Signature		Date	December 12, 2003

This collection of information is required by 37 CFR 1.9. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

**Complete if Known**

Application Number	10/714,370
Filing Date	11/14/2003
First Named Inventor	McGuire, et al.
Art Unit	
Examiner Name	
Attorney Docket Number	3788

Sheet	1	of	2
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## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

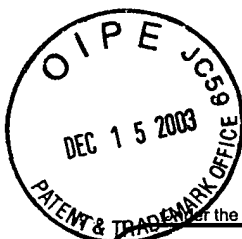
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY			
		WO 03/023,108 A1	03/20/2003	Mater et al.		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/714,370		
		Filing Dat	11/14/2003		
		First Named Inventor	McGuire et al.		
		Art Unit			
		Examiner Name			
Sheet	2	of	2	Attorney Docket Number	3788

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		CALIFORNIA DEPT. OF CONSUMER AFFAIRS, Technical Bulletin 129, Flammability Test Procedure for Mattresses for Use in Public Buildings, October 1992, 31 pps, State of CA,	✓
		CA Dept. OF CONSUMER AFFAIRS, Tech. Bulletin 117, Requirements, Test Procedure & Apparatus for testing the Flame and Smolder Resistance of Upholstered Furniture, 2/2002, 37pp,	✓
		CA DEPT. OF CONSUMER AFFAIRS, Tech. Bulletin 133, Flammability Test Procedure for Seating Furniture for Use in Public Occupancies, 1/1991, 28 pp	✓
		CA DEPT. OF CONSUMER AFFAIRS, Tech. Bulletin 603, Requirements and Test Procedure for Resistance of a Mattress/Box Spring Set to a Large Open Flame, 7/2003, 29 pps	✓
		NATIONAL FIRE PROTECTION ASSOCIATION, Quincy, MA - NFPA 701 - Standard Methods of Fire Tests for Flame Propagation of Textiles and Films, 1999	✓

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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